



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

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### **DRAFT** **AIR QUALITY OPERATING PERMIT**

Issued by the Massachusetts Department of Environmental Protection ("Department" or "MassDEP") pursuant to its authority under M.G.L. c. 111, §142B and §142D, 310 CMR 7.00 et seq., and in accordance with the provisions of 310 CMR 7.00: Appendix C.

**ISSUED TO ["the Permittee"]:**

Seaman Paper Company of Massachusetts, Inc.

**INFORMATION RELIED UPON:**

Application No. CE-13-005

Transmittal No. X254597

**FACILITY LOCATION:**

Seaman Paper Company  
51 Main Street  
Otter River, MA 01436

**FACILITY IDENTIFYING NUMBERS:**

AQ ID: 118-0035

FMF FAC NO.: 138896

FMF RO NO.: 161302

**NATURE OF BUSINESS:**

Paper Mill

STANDARD INDUSTRIAL CLASSIFICATION (SIC):

2621

NORTH AMERICAN INDUSTRIAL CLASSIFICATION  
SYSTEM (NAICS): 322121

**RESPONSIBLE OFFICIAL:**

Name: George Jones III

Title: President

**FACILITY CONTACT PERSON:**

Name: George Jones III

Title: President

Phone: (978) 939-2146

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Email:gdjones@seamanpaper.com

**This Operating Permit shall expire on \_\_\_\_\_.**

For the Department of Environmental Protection

\_\_\_\_\_  
Roseanna E. Stanley, Permit Chief, Bureau of Air and Waste

\_\_\_\_\_  
Date

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## **SPECIAL CONDITIONS FOR OPERATING PERMIT**

### **1. PERMITTED ACTIVITIES**

In accordance with the provisions of 310 CMR 7.00:Appendix C and applicable rules and regulations, the Permittee is authorized to operate the air emission units as shown in Table 1 and exempt and insignificant activities as described in 310 CMR 7.00:Appendix C(5)(h) and (i). The units described in Table 1 are subject to the terms and conditions shown in Sections 4, 5, and 6 and to other terms and conditions as specified in this Permit. Emissions from the exempt activities shall be included in the total facility emissions for the emission-based portion of the fee calculation described in 310 CMR 4.00 and this Permit.

#### **A. DESCRIPTION OF FACILITY AND OPERATIONS**

Seaman Paper is a non-integrated paper mill producing lightweight specialty papers on two Fourdrinier paper machines. The products include wrapping tissues, wax-coated bakery tissues, decorative crepe paper, and flat tissue specialties.

The facility is located off Main Street along the bank of the Otter River in Templeton, Massachusetts. Raw materials consist of water, virgin paper fiber and recycled paper fiber. Various chemicals such as polymers, dyes, solvents and other additives, are added during the paper making processes and wastewater treatment processes, or used at maintenance activities. Some of these chemicals are volatile organic compounds ("VOC") and hazardous air pollutants ("HAP"). They are emitted as fugitive emissions.

The Permittee has documented that the facility is an area source of HAP emissions. As an area source, the facility-wide total and individual HAP potential to emit are less than the major source thresholds of 25 tons per year and 10 tons per year, respectively.

Four on-site boilers presently provide the thermal demands of the facility and cogenerate a portion of its electrical requirements. The Bigelow and Babcock & Wilcox ("B&W") boilers, known as Emission Unit 2 and 3, are fired by No. 6 residual oil. The two Hurst boilers, known as Emission Unit 4 and 5, burn wood fuel and are subject to Compliance Assurance Monitoring ("CAM") requirements for particulate matter. The exhaust gas from the boilers contains regulated air pollutants.

The facility also has two existing Winco-Ford emergency engines, designated as Emission Unit 6 and 7, that are spark ignition stationary reciprocating internal combustion engines. They are fired by propane gas and were installed in January 2002.

All four boilers are subject to 40 CFR Part 63 Subpart JJJJJ, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial, and Institutional Boilers at Area Sources. The four boilers are existing units subject to the 40 CFR Part 63 Subpart JJJJJ requirements since their construction was before June 4, 2010. The Permittee has submitted the Notifications of Compliance Status for Boiler Tune-ups (November 14, 2011) and Boiler Energy Assessments (June 25, 2012) to certify that the Permittee has complied with all the relevant standards and other requirements of 40 CFR Part 63 Subpart JJJJJ.

The two Hurst Boilers, installed in August 2006 and February 2009 respectively, are also subject to the 40 CFR Part 60 Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The boilers are required to record and maintain records of the amount of each fuel combusted during each calendar month under 40 CFR 60.48c(g)(2). The two B&W boilers are not subject to Subpart Dc since they were constructed prior to the Subpart Dc applicability date.

EU 2 and 3 are subject to 310 CMR 7.19 NO<sub>x</sub> RACT requirements.

Pursuant to 310 CMR 7.19(1)(c)9, the NO<sub>x</sub> RACT requirements contained in 310 CMR 7.19 do not apply to EU 4 and 5. This is because their Plan Approvals established BACT emission limits which were more stringent than the RACT emission limits for a facility size and type as defined in 310 CMR 7.19. If the applicable RACT standards of 310 CMR 7.19 become more stringent than BACT emission limits established in this Plan Approval, EU 4 and 5 will become subject to the updated RACT standards at that time.

40 CFR Part 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines (“RICE”), is applicable to both major and area sources of HAP emissions. Both engines are existing spark ignition stationary RICE subject to 40 CFR Part 63 Subpart ZZZZ since their construction was before June 12, 2006. The compliance date for the spark ignition RICEs was October 19, 2013. The applicable requirements from Subpart ZZZZ have been included in this Operating Permit.

The Facility is subject to the Operating Permit and Compliance Program pursuant to 310 CMR 7.00: Appendix C(2) since it has the potential to emit greater than 50 tons per year of nitrogen oxides (NO<sub>x</sub>), 100 tons per year of carbon monoxide (CO), 100 tons per year of sulfur dioxide (SO<sub>2</sub>)

The Facility's potential NO<sub>x</sub> emissions are greater than 50 tons per year. Therefore, the projects (EU4 in 2005 and EU5 in 2008) would have been subject to Appendix A review if they resulted in a significant net increase in NO<sub>x</sub> emissions of 25 tons per year or more. Each individual EU was approved for NO<sub>x</sub> emissions higher than 25 tons per year, however, each project caused a net reduction in actual NO<sub>x</sub> emissions from the Facility including other contemporaneous changes (specifically, reduced usage of the previous EU 1-3 oil fired boilers). Therefore, the projects were not subject to preconstruction review under Appendix A.

The Facility was a “major stationary source” pursuant to the Prevention of Significant Deterioration regulations of 40 CFR § 52.21 since it had the potential to emit more than 250 tons per year of a new source review regulated pollutant. Since the Facility agreed to a facility wide sulfur dioxide emission limit of 145 ton per year, the Facility is no longer considered major source for PSD program.

The Facility is subject to the applicable requirements of the 310 CMR 7.71(5) through (7), pursuant to 310 CMR 7.71(3)(a)1. The applicable requirements have been included in this Operating Permit.

Table 1 lists the equipment (emission units or EUs) subject to this Operating Permit. Table 2 describes the exempt activities that are not subject to this Operating Permit. Tables 3, 3A, 4, 5, and 6 describe the applicable requirements that the EUs are subject to in the Operating Permit.

## 2. EMISSION UNIT IDENTIFICATION

The following emission units (Table 1) are subject to and regulated by this Operating Permit:

<b>Table 1</b>			
<b>Emission Unit</b>	<b>Description of EU</b>	<b>EU Design Capacity</b>	<b>Pollution Control Device (PCD)</b>
2	Bigelow Type A Boiler	49.5 MMBtu/hr	none
3	Babcock & Wilcox FM-370 Boiler	32.5 MMBtu/hr	none
4	Hurst Wood Fired Boiler Model No Super 600	29.88 MMBtu/hr	Flue Gas Recirculation Dry Mechanical Dust Collector Positive Air Filter System
5	Hurst Wood Fired Boiler Model No Super 600	29.88 MMBtu/hr	Flue Gas Recirculation Dry Mechanical Dust Collector Positive Air Filter System
6	Winco-Ford Emergency Engine Model No. 7.5 L V-8	1.561 MMBtu/hr ( 223 HP)	none
7	Winco-Ford Emergency Engine Model No. 2.5 L 1-4	0.63 MMBtu/hr ( 90 HP)	none
8	Additives to Re-Pulping, Paper Making and Wastewater Treatment - fugitive emissions	31,500 tons of Paper produced per year	none

### Table 1 Key

EU = Emission Unit

MMBtu/hr = Million British Thermal Units per Hour

PCD = Pollution Control Device

HP = Horsepower

## 3. IDENTIFICATION OF EXEMPT ACTIVITIES

The following are considered exempt activities in accordance with the criteria contained in 310 CMR 7.00: Appendix C(5)(h):

<b>Table 2</b>	
<b>Description of Current Exempt Activities</b>	<b>Reason</b>
The list of current exempt activities is contained in the Operating Permit application and shall be updated by the Permittee to reflect changes at the Facility over the Permit term. An up-to-date copy of exempt activities list shall be kept on-site at the Facility and a copy shall be submitted to the MassDEP's Regional Office. Emissions from these activities shall be reported on the annual emissions statement pursuant to 310 CMR 7.12.	310 CMR 7.00:Appendix C(5)(h)

#### **4. APPLICABLE REQUIREMENTS**

##### **A. OPERATIONAL AND/OR PRODUCTION EMISSION LIMITS AND RESTRICTIONS**

The Permittee is subject to the limits/restrictions as contained in Tables 3 and 3A below:

<b>Table 3</b>					
<b>EU</b>	<b>Fuel/Raw Material</b>	<b>Operational and/or Production Limits</b>	<b>Pollutant</b>	<b>Emissions Limits/ Standards</b>	<b>Applicable Regulation and/or Approval No</b>
2 and 3	No. 6 Residual Oil		PM <sub>10</sub>	0.10 lbs/MMBtu ( <i>per boiler</i> ) and 6.3 lbs/hr ( <i>both boilers combined</i> ) <sup>1</sup>	310 CMR 7.05 (1)  Plan Approval No. C-B-90-011 dated May 4, 1990, and modified November 3, 2004.
			SO <sub>2</sub>	1.05 lbs/MMBtu ( <i>per boiler</i> ) and 65.9 lbs/hr ( <i>both boilers combined</i> ) <sup>1</sup> . Prior to July 1, 2018, fuel oil sulfur content not to exceed 0.55 lb/MMBtu. On and after July 1, 2018, fuel oil sulfur content not to exceed 0.28 lb/MMBtu	
			NO <sub>x</sub>	0.37 lbs/MMBtu ( <i>per boiler</i> ) and 23.1 lbs/hr ( <i>both boilers combined</i> ) <sup>1</sup>	
			CO	0.03 lbs/MMBtu ( <i>per boiler</i> ) and 2.1 lbs/hr ( <i>both boilers combined</i> ) <sup>1</sup>	Plan Approval No. W211007 -A1 amended June 02, 2015  Plan of Good Operating Practices dated October 8, 2004 and 310 CMR 7.06(1)(c)
			VOC	0.002 lbs/MMBtu ( <i>per boiler</i> ) and 0.12 lbs/hr ( <i>both boilers combined</i> ) <sup>1</sup>	
			Opacity	≤ 15% during normal operation based on a six-minute block average. ≤ 27% during startup, shutdown, burner shutdown/change and soot blowing based on a six-minute block average. Never to exceed 27% based on a six-minute block average.	
4 and 5	Wood		PM <sub>10</sub>	<i>Per boiler:</i> 0.01 lbs/MMBtu, 0.30 lbs/hr, 1.3 tpy <sup>2</sup>	Plan Approval No. W211007 -A1 amended June 02, 2015
			SO <sub>2</sub>	<i>Per boiler:</i> 0.03 lbs/MMBtu, 0.90 lbs/hr, 3.9 tpy <sup>2</sup>	

<b>Table 3</b>					
<b>EU</b>	<b>Fuel/Raw Material</b>	<b>Operational and/or Production Limits</b>	<b>Pollutant</b>	<b>Emissions Limits/ Standards</b>	<b>Applicable Regulation and/or Approval No</b>
4 and 5	Wood		NO <sub>x</sub>	<i>Per boiler:</i> 0.22 lbs/MMBtu, 6.6 lbs/hr, 28.9 tpy <sup>2</sup>	
			CO	<i>Per boiler:</i> 0.45 lbs/MMBtu, 13.5 lbs/hr, 58.9 tpy <sup>2</sup>	
			VOC	<i>Per boiler:</i> 0.03 lbs/MMBtu, 0.90 lbs/hr, 3.9 tpy <sup>2</sup>	
			Opacity	During normal operating times the opacity shall not exceed 5% at any time. During start-up, shut down and soot blowing operations the opacity shall not exceed 20% for a period of two minutes in any one hour period and shall not exceed 40% at any time.	
2, 3, 4 and 5 combined		Combined steam generation shall not exceed 1,209,600 lbs per day	PM <sub>10</sub>	27.6 tpy	Plan Approval No. W211007 -A1 amended June 02, 2015
			SO <sub>2</sub>	145 tpy	
			NO <sub>x</sub>	102.1 tpy	
			CO	118.2 tpy	
			VOC	7.9 tpy	
8			VOC	39.9 tpy	Plan Approval No. W002861 dated November 16, 1998
Facility wide			VOC	47.8 tpy	Operating Permit Transmittal #X254597
			HAP (Single)	< 5 tpy	
			HAP (total)	< 12 tpy	
			Greenhouse Gas <sup>3</sup>	N/A	310 CMR 7.71 (state only)

**Table 3 Key:**

EU = Emission Unit  
 lbs/MMBtu = pounds per Million British thermal units

SO<sub>2</sub> = Sulfur Dioxide  
 NO<sub>x</sub> = Nitrogen Oxides

lbs/hr = pounds per hour  
tpy = tons per consecutive 12-month period<sup>4</sup>

PM<sub>10</sub> = Particulate Matter less than or equal to 10 microns  
in diameter

HAP (single) = maximum single Hazardous Air Pollutant

HAP (total) = total Hazardous Air Pollutants.

CO = Carbon Monoxide

VOC = Volatile Organic  
Compounds

CO<sub>2</sub> = Carbon Dioxide

% = percent

N/A = Not Applicable

**Table 3 Foot Notes:**

- (1) lbs/MMBtu emission limits are for each boiler and lbs/hr emission limits are for the two boilers EU2 and EU3 combined.
- (2) lbs/MMBtu, lbs/hr and tpy emission limits are for each boiler for EU4 and EU5.
- (3) Greenhouse Gas means any chemical or physical substance that is emitted into the air and that the department may reasonably anticipate will cause or contribute to climate change including, but not limited to: carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), sulfur hexafluoride (SF<sub>6</sub>), hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs).
- (4) To calculate the amount of a consecutive 12 month rolling period take the current calendar month amount and add it to the previous 11 calendar months total amount



<b>Table 3A Emergency Engines</b>		
<b>EU</b>	<b>Operational and/or Production Limits</b>	<b>Applicable Regulation and/or Approval No.</b>
6 and 7	1. The Permittee shall operate the emergency stationary RICE according to the requirements in paragraphs 2 through 5 of Table 3A. In order for the engine to be considered an emergency stationary RICE under 40 CFR 63 Subpart ZZZZ, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs 2 through 5 of Table 3A, is prohibited. If the Permittee does not operate the engine according to the requirements in paragraphs 2 through 5 of Table 3A, the engine will not be considered an emergency engine under 40 CFR 63 Subpart ZZZZ and must meet all requirements for non-emergency engines.	40 CFR 63.6640(f)
	2. There is no time limit on the use of the emergency stationary RICE in emergency situations.	40 CFR 63.6640(f)(1)
	<p>3. The Permittee may operate the emergency stationary RICE for any combination of the purposes specified in paragraphs 3(a) through 3(c) of Table 3A for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs 4 and 5 of Table 3A counts as part of the 100 hours per calendar year allowed by this paragraph 3.</p> <p>(a) The emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the emergency stationary RICE. The Permittee may petition MassDEP for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the Permittee maintains records indicating that federal, state, or local standards require maintenance and testing of the emergency stationary RICE beyond 100 hours per calendar year.</p> <p>(b) The emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see 40 CFR 63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.</p> <p>(c) The emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.</p>	40 CFR 63.6640(f)(2)

<b>Table 3A Emergency Engines</b>		
<b>EU</b>	<b>Operational and/or Production Limits</b>	<b>Applicable Regulation and/or Approval No.</b>
	<p>4. (a) The emergency stationary RICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph 3 of Table 3A. Except as provided in paragraph 4(b) of Table 3A, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for the Permittee to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.</p> <p>(b) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:</p> <ol style="list-style-type: none"> <li>1. The engine is dispatched by the local balancing authority or local transmission and distribution system operator.</li> <li>2. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.</li> <li>3. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.</li> <li>4. The power is provided only to the facility itself or to support the local transmission and distribution system.</li> <li>5. The Permittee identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of Permittee.</li> </ol>	40 CFR 63.6640(f)(4)
6 and 7	<p>5. According to 40 CFR 63.6625(h), effective 10/19/2013, the Permittee shall minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Table 2d to 40 CFR 63 Subpart ZZZZ applies.</p>	40 CFR 63.6625(h)

**Table 3A Key:**

EU = Emission Unit

RICE = Reciprocating Internal Combustion Engines

CFR = Code of federal regulations

**B. COMPLIANCE DEMONSTRATION**

The Permittee is subject to the monitoring/testing, record keeping, and reporting requirements as contained in Tables 4, 5, and 6 below and 310 CMR 7.00 Appendix C (9) and (10) and applicable

requirements contained in Tables 3 and 3A:

<b>Table 4</b>	
<b>EU</b>	<b>Monitoring And Testing Requirements</b>
2 and 3	1. In accordance with 310 CMR 7.00: Appendix C(9)(b)2, the Permittee shall obtain and maintain a shipping receipt from the fuel supplier for each shipment of oil delivered to demonstrate compliance with 310 CMR 7.05(1). The shipping receipt must certify that the shipment complies with the American Society for Testing and Materials (ASTM) specifications for residual No. 6 fuel oil. The Department may require testing of the residual No. 6 fuel oil if the shipping receipt does not clearly demonstrate compliance.
	2. In accordance with 310 CMR 7.19(6)(a), the Permittee shall tune the emission units annually according to the procedure described in 310 CMR 7.19(6)(a)1. to 12.
	3. In accordance with 310 CMR 7.19(6)(b)2.g., the Permittee shall at least once per month, verify that the settings determined during the tune-up have not changed.
	4. In accordance with 310 CMR 7.00 Appendix C(9)(b), the Permittee shall demonstrate compliance with the allowable opacity limits in accordance with EPA Method 9 as specified in 40 CFR 60, Appendix A.
	5. In accordance with the Plan of Good Operating Practices and 310 CMR 7.04(2)(a), the Permittee shall maintain a smoke density indicator and recorder that is properly maintained in an accurate operating condition, operates continuously and is equipped with an audible alarm to signal the need for combustion equipment adjustment or repair when the smoke density is equal to or greater than No. 1 of the Chart.
	6. In accordance with the Plan of Good Operating Practices and 310 CMR 7.06(1)(c), the Permittee shall use the smoke density indicator, audible alarm and recorder system as an indicator to initiate corrective actions if the opacity level is in excess of the expected level, as defined in the Plan of Good Operating Practices, for: normal operation, startup, shutdown, burner shutdown/change, or soot blowing.
	7. In accordance with the Plan of Good Operating Practices, if measured opacity exceeds an applicable emission limit, the Permittee shall evaluate the exceedance to determine cause and if the Plan of Good Operating Practices was being followed during the exceedance period. The reason(s) and any corrective action shall be documented in a logbook or other permanent record.  If more than three (3) exceedances of a particular type (startup, shutdown, burner shutdown/change, or soot blowing) should occur within a six (6) month period for any reason, then at the next scheduled event of that type, a Method 9 Test shall be conducted, and the Plan of Good Operating Procedures should be revised if appropriate. Based upon the cause of exceedance, the Permittee may request waiver of the Method 9 Test requirement. Any request shall be in writing to the Department.
	8. In accordance with the Plan of Good Operating Practices, in the event a smoke density indicator and/or recorder is out-of-service for more than two business days while a boiler is operating and firing oil, then the Permittee shall conduct a Method 9 Test at least once per day during normal operations and once per day during any scheduled soot blowing, startup, burner shutdown/change and/or shutdown events until the day that the smoke density indicator and/or recorder is placed back in service.
	9. In accordance with the Plan of Good Operating Practices and 310 CMR 7.06(1)(c), the Permittee shall determine the opacity levels during normal operation, soot blowing, startup, burner shutdown/change and shutdown, as applicable, in accordance with 40 CFR Part 60, Appendix A, Method 9 at least once every twelve months.
	10. In accordance with 310 CMR 7.04(4)(a), the Permittee shall inspect and maintain the emission units in accordance with the manufacturers recommendations and test them for efficient operation at least once each calendar year, provided that if there is a conflict between the 310 CMR 7.19(6) tuneup procedure and the manufacturers recommendations, the 7.19(6) procedure shall be followed.
4 and 5	11. In accordance with Plan Approval No. W211007 - A1, the Permittee shall install, calibrate and maintain a

<b>Table 4</b>	
<b>EU</b>	<b>Monitoring And Testing Requirements</b>
4 and 5	smoke density indicator and recorder equipped with an audible alarm to measure opacity.
	<p>12. In accordance with Plan Approval No. W211007 - A1, the Permittee shall conduct Periodic Monitoring for the criteria pollutants as follows:</p> <p>PM: Quarterly black light test on baghouse. Daily monitoring of the smoke indicator/recorder, and the pressure drop across the baghouse.</p> <p>SO<sub>2</sub>: Annually and upon change in fuel stock or supplier, sample the wood fuel for sulfur content.</p> <p>NOx: Annually monitor the Flue Gas Recirculation fan settings.</p> <p>NOx, CO, and SO<sub>2</sub>: Annual emission testing with portable ECOM analyzer for NOx, CO and SO<sub>2</sub> in lieu of an annual stack test.</p>
	13. In accordance with Plan Approval No. W211007 - A1, the Permittee shall equip the emission units with a steam flow meter(s) and recorder(s) sufficient to demonstrate compliance with the steam production limitation noted in Table 3.
	14. In accordance with Plan Approval No. W211007 - A1, the Permittee shall monitor the daily steam production to demonstrate compliance with the Table 3 limitation.
	15. In accordance with 40 CFR 63.11223(a), the Permittee shall conduct a performance tune-up according to 40 CFR 63.11223(b) and keep records as required in 40 CFR 63.11225(c) to demonstrate continuous compliance. The Permittee shall conduct the tune-up while burning the type of fuel (or fuels in the case of boilers that routinely burn two types of fuels at the same time) that provided the majority of the heat input to the boiler over the 12 months prior to the tune-up.
	<p>16. In accordance with 40 CFR 63.11223(b), the Permittee shall conduct a tune-up of the boiler biennially to demonstrate continuous compliance as specified in 40 CFR 63.11223 (b)(1) through (7). Each biennial tune-up must be conducted no more than 25 months after the previous tune-up. For a new or reconstructed boiler, the first biennial tune-up must be no later than 25 months after the initial startup of the new or reconstructed boiler.</p> <p>(a) As applicable, inspect the burner, and clean or replace any components of the burner as necessary (The Permittee may delay the burner inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection). Units that produce electricity for sale may delay the burner inspection until the first outage, not to exceed 36 months from the previous inspection.</p> <p>(b) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available.</p> <p>(c) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (The Permittee may delay the inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection). Units that produce electricity for sale may delay the inspection until the first outage, not to exceed 36 months from the previous inspection.</p> <p>(d) Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any nitrogen oxide requirement to which the unit is subject.</p> <p>(e) Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer.</p> <p>(f) Maintain on-site and submit, if requested by MassDEP or USEPA, a report containing the information in 40 CFR 63.11223(b)(6)(i) through (iii).</p>

<b>Table 4</b>	
<b>EU</b>	<b>Monitoring And Testing Requirements</b>
4 and 5	<p>i) The concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler.</p> <p>ii) A description of any corrective actions taken as a part of the tune-up of the boiler.</p> <p>iii) The type and amount of fuel used over the 12 months prior to the tune-up of the boiler, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel use by each unit.</p> <p>(g) If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of startup.</p>
6 and 7	<p>17. In accordance with 40 CFR 63.6625(e)(3), effective 10/19/2013, the Permittee shall operate and maintain emergency stationary RICE according to the manufacturer's emission-related written instructions or develop its own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.</p> <p>18. In accordance with 40 CFR 63.6625(f), effective 10/19/2013, the Permittee shall equip the emergency stationary RICE with a non-resettable hour meter.</p> <p>19. In accordance with 40 CFR 63.6625(h), effective 10/19/2013, the Permittee shall minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes.</p> <p>20. In accordance with 40 CFR 63.6625(j), effective 10/19/2013, the Permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2d to 40 CFR 63 Subpart ZZZZ. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2d to 40 CFR Part 63 Subpart ZZZZ. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.</p>
8	<p>21. In accordance with Plan Approval No. W002861, the Permittee shall monitor the use of VOC-containing products to ensure that the Table 3 VOC limit is not exceeded.</p> <p>22. In accordance with Plan Approval No. W002861, the Permittee shall use product substitution and source reduction whenever it is feasible to reduce VOC emissions.</p>
Facility Wide	<p>23. In accordance with 310 CMR 7.13(1) and Plan Approval No. W211007 - A1, if and when MassDEP requires it, the Permittee shall conduct emission testing in accordance with USEPA Reference Test Methods and Regulation 310 CMR 7.13.</p> <p>24. In accordance with 310 CMR 7.00 Appendix C(9)(b), the Permittee shall monitor the operations of the entire facility such that necessary information is available for the preparation of the annual Source Registration/Emission Statement Forms as required by 310 CMR 7.12.</p>

<b>Table 4</b>	
<b>EU</b>	<b>Monitoring And Testing Requirements</b>
Facility-Wide	25. In accordance with 310 CMR 7.71(1) and Appendix C(9) the Permittee shall establish and maintain data systems or record keeping practices (e.g. fuel use records, SF6 usage documentation, Continuous Emissions Monitoring System) for greenhouse gas emissions to ensure compliance with the reporting provisions of M.G.L. c. 21N, the Climate Protection and Green Economy Act, St. 2008, c. 298, § 6. (State only requirement)

**Table 4 Key:**

EU = Emission Unit	SO <sub>2</sub> = Sulfur Dioxide
VOC = Volatile Organic Compounds	NO <sub>x</sub> = Nitrogen Oxides
RICE = Reciprocating Internal Combustion Engines	CO = Carbon Monoxide

<b>Table 5</b>	
<b>EU</b>	<b>Record Keeping Requirements</b>
2 and 3	<p>1. In accordance with 310 CMR 7.00 Appendix C(10)(b), the Permittee shall maintain on site the following records for five (5) years from the date of generation and have the records readily available to the Department and EPA personnel. Record keeping shall, at a minimum, include:</p> <ul style="list-style-type: none"> <li>a) Fuel purchase receipts in order to demonstrate compliance with sulfur content requirements as provided in 310 CMR 7.05(1);</li> <li>b) All fuel-oil analyses completed on behalf of the Permittee;</li> <li>c) Inspection, maintenance, and testing results of the emission unit and the date upon which it was performed in accordance with 310 CMR 7.04(4)(a);</li> <li>d) Records of the date of tune-up; person(s) conducting tune up; O<sub>2</sub>/CO (for gas) or O<sub>2</sub>/smoke spot (for oil) correlations obtained during tune-up; boiler/burner manufacturer's recommended set-points; final boiler set-points as result of tune-up; normal boiler/burner maintenance records; and verification that the settings determined during the tune-up have not changed in accordance with 310 CMR 7.19(6)(b)2;</li> <li>e) Records of soot blowing in accordance with Plan Approval No.C-B-90-011.</li> </ul>
	<p>2. In accordance with the Plan of Good Operating Practices and 310 CMR 7.06(1)(c), the Permittee shall maintain records of the information specified in Table B of the POGOP. The calendar date for each record shall be clearly identified on the record.</p>
	<p>3. In accordance with the Plan of Good Operating Practices (POGOP) and 310 CMR 7.06(1)(c), the Permittee shall maintain the following records:</p> <ul style="list-style-type: none"> <li>a) Smoke density indicator recorder records;</li> <li>b) All 40 CFR 60 Appendix A Method 9 records;</li> <li>c) A copy of the Plan of Good Operating Practices approved by the Department, and</li> <li>d) A logbook or other permanent record that identifies the calendar date, start time, and end time for the following records: <ul style="list-style-type: none"> <li>(i) All smoke density indicator system calibrations;</li> <li>(ii) Any period of malfunction of the smoke density indicator, recorder and alarm system;</li> <li>(iii) Each startup, shutdown, burner shutdown/change and soot blow;</li> </ul> </li> </ul>

<b>Table 5</b>	
<b>EU</b>	<b>Record Keeping Requirements</b>
	<ul style="list-style-type: none"> <li>(iv) A description of all maintenance performed on the smoke density indicator, recorder and audible alarm system; and</li> <li>(v) A description of the operating conditions for each event when the smoke density indicator, recorder and alarm system or Method 9 observations identifies that the opacity exceeded the level for the specific operating condition identified in Table A of the POGOP.</li> </ul>
2 and 3	4. In accordance with 310 CMR 7.06(1)(c), the Permittee shall maintain a copy of the certification of the qualified observer for each 40 CFR 60, Appendix A, Method 9 observation.
4 and 5	5. In accordance with 40 CFR 60.48c(g)(2), the Permittee shall record and maintain records of the amount of each fuel combusted during each calendar month.
2, 3, 4 and 5	<p>6. In accordance with Plan Approval No. W211007 - A1, the Permittee shall maintain on site the following records:</p> <ul style="list-style-type: none"> <li>a) The Permittee shall keep the following records: <ul style="list-style-type: none"> <li>i) On site the operating and maintenance procedures for the emission units;</li> <li>ii) Operating and Maintenance log books, with the following information on a daily basis: <ul style="list-style-type: none"> <li>a) Date and hours of operation of the boilers;</li> <li>b) Date, time and description of any maintenance performed on the boilers, monitoring systems, breeching or stack;</li> <li>c) Smoke recorder charts.</li> </ul> </li> <li>iii) Fuel delivery records that show the total amount of wood-fuel and oil delivered on a monthly basis and 12 month rolling total.</li> <li>iv) Name of Company delivering the wood-fuel and oil including as a minimum, date of delivery, amount of tons/gallons, sulfur content of fuel oil and truck ID number.</li> </ul> </li> <li>b) Daily steam flow records to demonstrate compliance with the Table 3 facility wide steam production limit.</li> <li>c) Fluorescent black light test results from the bag house and routine maintenance;</li> <li>d) Upon completion of any fluorescent black light test, the following records shall be maintained: <ul style="list-style-type: none"> <li>i. The date the test was performed;</li> <li>ii. Name of person or consultant performing the test;</li> <li>iii. List any deficiencies on the bag house operational parameters and test results.</li> </ul> </li> <li>e) Records of other Periodic Monitoring items required in Table 4, including baghouse pressure drop, opacity charts, wood sulfur content, Flue gas recirculation (FGR) percent damper open, and annual emission test results.</li> <li>f) Records of emissions testing conducted to demonstrate compliance with the applicable requirements in Table 3 in accordance with 310 CMR 7.13(1)(d).</li> </ul>
2, 3, 4 and 5	<p>7. In accordance with 40 CFR 63.11225(c)(1), (c)(2)(i), (c)(2) (iii),(c) (4), (c)(5), the Permittee shall maintain the following records:</p> <ul style="list-style-type: none"> <li>a) As required in 40 CFR 63.10(b)(2)(xiv), keep a copy of each notification and report that is submitted to comply with 40 CFR Part 63, Subpart JJJJJ and all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted.</li> <li>b) The identity of each boiler, the date of tune-up, the procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned.</li> <li>c) A copy of the energy assessment report.</li> </ul>

<b>Table 5</b>	
<b>EU</b>	<b>Record Keeping Requirements</b>
2, 3, 4 and 5	<p>d) Records of the occurrence and duration of each malfunction of the boiler, or of the associated air pollution control and monitoring equipment.</p> <p>e) Records of actions taken during periods of malfunction to minimize emissions in accordance with the general duty to minimize emissions in 40 CFR 63.11205(a), including corrective actions to restore the malfunctioning boiler, air pollution control, or monitoring equipment to its normal or usual manner of operation.</p>
	<p>8. In accordance with 40 CFR 63.11225 (d), the records must be in a form suitable and readily available for expeditious review. The Permittee shall keep each record for 5 years following the date of each recorded action. The Permittee shall keep each record on-site or be accessible from a central location by computer or other means that instantly provide access at the site for at least 2 years after the date of each recorded action. The Permittee may keep the records off site for the remaining 3 years.</p>
6 and 7	<p>9. In accordance with 40 CFR 63.6655(e) and (f), and effective October 19, 2013, the Permittee shall maintain comprehensive and accurate records of:</p> <p>a) Records of the maintenance conducted on the stationary RICE in order to demonstrate that the Permittee operated and maintained the stationary RICE and after-treatment control device (if any) according to the Permittee's own maintenance plan.</p> <p>b) Records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The Permittee must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in 40 CFR 63.6640(f)(2)(ii) or (iii) or 40 CFR 63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.</p>
Facility-wide	<p>10. In accordance with Plan Approval No. W002861, the Permittee shall maintain sufficient records to demonstrate that VOC emissions have not exceeded the permit limit, including but not limited to daily production records, raw material usage rates and VOC emission calculations.</p>
	<p>11. In accordance with 310 CMR 7.00 Appendix C(10)(b), the Permittee shall maintain adequate records on-site to demonstrate compliance with HAP emission limits contained in Table 3 above.</p>
	<p>12. In accordance with 310 CMR 7.00 Appendix C(10)(b), the Permittee shall maintain records of all monitoring data and supporting information on-site for a period of at least five years from the date of the monitoring sample, measurement, report or initial operating permit application.</p>
	<p>13. In accordance with 310 CMR 7.12, the Permittee shall maintain records to ensure sufficient information is available to comply with 310 CMR 7.12 Source Registration.</p>
	<p>14. In accordance with 310 CMR 7.71 (6) b. and c., the Permittee shall retain at the facility for five years and make available to the Department upon request copies of the documentation of the methodology and data used to quantify emissions. (State only requirement)</p>

**Table 5 Key:**

EU = Emission Unit

POGOP = Plan of Good Operating Practices

RICE = Reciprocating Internal Combustion Engines

O<sub>2</sub> = Oxygen

CO = Carbon Monoxide

VOC = Volatile Organic Compounds



<b>Table 6</b>	
<b>EU</b>	<b>Reporting Requirements</b>
2 and 3	1. In accordance with 310 CMR 7.00 Appendix C(10)(a), the Permittee shall submit fuel-oil sulfur content test results, obtained from the fuel supplier and or requisite analyses, to MassDEP upon request.
	2. In accordance with the Plan of Good Operating Practices (POGOP) and 310 CMR 7.06(1)(c), the Permittee shall notify MassDEP, in writing, of any 40 CFR 60, Appendix A, Method 9 test results that indicates the percent opacity to be in excess of that defined in Table 3. The notice shall be given within one business day. Within three business days the Permittee shall submit: a copy of the Method 9 data sheet(s), copy of smoke density indicator records, an explanation for the elevated opacity, and any proposed revisions to the Plan of Good Operating Practices which will be implemented so as to prevent a recurrence of said exceedance in the future.
4 and 5	3. In accordance with Plan Approval No. W211007 - A1, the Permittee shall submit a pre-test protocol to MassDEP, describing the test methods for the emissions testing and fuel supply testing. The protocol shall also include the sampling point locations, sampling equipment and sampling and analytical procedures as well as expected boiler operating conditions during the testing. The Permittee shall also propose a parametric monitoring strategy to ensure continuous compliance with the emission limitations specified in this approval. The required test protocol must be submitted to this Office, attention Bureau of Air and Waste Permit Section Chief, for review and MassDEP approval at least thirty (30) days prior to the commencement of emission testing at the facility.
	4. In accordance with Plan Approval No. W211007 - A1, the Permittee shall submit the final test report within sixty (60) days of completion to MassDEP, Bureau of Air and Waste, Permitting Section, 8 New Bond Street, Worcester, Massachusetts, 01606.
2, 3, 4 and 5	<p>5. In accordance to 40 CFR 63.11225(b), the Permittee shall prepare, by March 1 of each year, and submit to MassDEP and the USEPA upon request, a biennial compliance report as specified below.</p> <ul style="list-style-type: none"> <li>a. Company name and address.</li> <li>b. Statement by a responsible official, with the official's name, title, phone number, email address, and signature, certifying the truth, accuracy and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of this subpart. Your notification must include the following certification(s) of compliance, as applicable, and signed by a responsible official: <ul style="list-style-type: none"> <li>i. "This facility complies with the requirements in 40 CFR 63.11223 to conduct a biennial or 5-year tune-up, as applicable, of each boiler."</li> <li>ii. For units that do not qualify for a statutory exemption as provided in section 129(g)(1) of the Clean Air Act: "No secondary materials that are solid waste were combusted in any affected unit."</li> </ul> </li> </ul>
6 and 7	6. In accordance with 40 CFR 63.6640(e) and effective October 19, 2013, the Permittee shall report each instance in which the Permittee did not meet the requirements in Table 8 of 40 CFR Subpart ZZZZ that applies to the Permittee.
	<p>7. In accordance with 40 CFR 63.6650(h) and effective October 19, 2013, if the Permittee owns or operates an emergency stationary RICE with a site rating of more than 100 brake horsepower that operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii) or that operates for the purpose specified in 40 CFR 63.6640(f)(4)(ii), the Permittee shall submit an annual report to MassDEP and the USEPA according to the requirements in paragraphs a. through c. of this section of Table 6 and as specified below.</p> <ul style="list-style-type: none"> <li>a) The report must contain the following information: <ul style="list-style-type: none"> <li>1) Company name and address where the engine is located.</li> <li>2) Date of the report and beginning and ending dates of the reporting period.</li> <li>3) Engine site rating and model year.</li> <li>4) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.</li> <li>5) Hours operated for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii), including the date, start time, and end time for engine operation for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii).</li> </ul> </li> </ul>

<b>Table 6</b>	
<b>EU</b>	<b>Reporting Requirements</b>
6 and 7	<p>6) Number of hours the engine is contractually obligated to be available for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii).</p> <p>7) Hours spent for operation for the purpose specified in 40 CFR 63.6640(f)(4)(ii), including the date, start time, and end time for engine operation for the purposes specified in 40 CFR 63.6640(f)(4)(ii). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.</p> <p>8) If there were no deviations from the fuel requirements in 40 CFR 63.6604 that apply to the engine (if any), a statement that there were no deviations from the fuel requirements during the reporting period.</p> <p>9) If there were deviations from the fuel requirements in 40 CFR 63.6604 that apply to the engine (if any), information on the number, duration, and cause of deviations, and the corrective action taken.</p> <p>b) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.</p> <p>c) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (<a href="http://www.epa.gov/cdx">www.epa.gov/cdx</a>). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in 40 CFR 63.13.</p>
Facility-wide	<p>8. In accordance with 310 CMR 7.00 Appendix C(10)(a), the Permittee shall submit upon the Department's request, any records required by the applicable requirements identified in Sections 4 and 5 of the operating permit, or the emissions of any air contaminant from the facility, to MassDEP within 30 days of the request by MassDEP, or within a longer time period if approved in writing by MassDEP. Said response shall be transmitted on paper, on computer disk, or electronically at the discretion of MassDEP.</p> <p>9. In accordance with 310 CMR 7.12, the Permittee shall submit a Source Registration/Emission Statement Form to MassDEP on an annual basis.</p> <p>10. In accordance with 310 CMR 7.13, whenever MassDEP determines that stack testing is necessary pursuant to 310 CMR 7.13(1), the Permittee shall submit the results of such stack testing to MassDEP as prescribed by 310 CMR 7.13(1)(d).</p> <p>11. In accordance with 310 CMR 7.00: Appendix C(10)(c), the Permittee shall report a summary of all monitoring data and related supporting information to MassDEP at least every six months (January 30 and July 30 of each calendar year).</p> <p>12. In accordance with General Condition 10 of this Permit, the Permittee shall submit Annual Compliance report to MassDEP and EPA by January 30 of each year.</p> <p>13. In accordance with 310 CMR 7.71(5), by April 15<sup>th</sup>, 2010 and April 15<sup>th</sup> of each year thereafter the Permittee shall report emissions of greenhouse gases from stationary emissions sources including, but not limited to, emissions from factory stacks, manufacturing processes and vents, fugitive emissions, and other process emissions; and owned or leased motor vehicles when stationary source greenhouse gas emissions are greater than 5,000 short tons CO<sub>2</sub>e. Report greenhouse gas emissions electronically in a format that can be accommodated by the registry. (State only requirement)</p> <p>14. In accordance with 310 CMR 7.71(6), the Permittee shall certify greenhouse gas emissions reports using a form provided by MassDEP or the registry. (State only requirement)</p> <p>15. In accordance with 310 CMR 7.71(7), by December 31<sup>st</sup> of the applicable year the Permittee shall submit to MassDEP documentation of triennial verification of the greenhouse gas emissions report. (State only requirement)</p> <p>16. In accordance with 310 CMR 7.71(7), by December 31<sup>st</sup> of the applicable year the Permittee shall submit to MassDEP documentation of triennial verification of the greenhouse gas emissions report. (State only requirement)</p>

**Table 6 Key:**

EU = Emission Unit	SO <sub>2</sub> = Sulfur Dioxide
VOC = Volatile Organic Compounds	NO <sub>x</sub> = Nitrogen Oxides
RICE = Reciprocating Internal Combustion Engines	CO = Carbon Monoxide
EPA = Environmental Protection Agency	

**C. GENERAL APPLICABLE REQUIREMENTS**

The Permittee shall comply with all generally applicable requirements contained in 310 CMR 7.00 et seq. and 310 CMR 8.00 et. seq., when subject.

**D. REQUIREMENTS NOT CURRENTLY APPLICABLE**

The Permittee is currently not subject to the following requirements:

<b>Table 7</b>	
<b>Regulation</b>	<b>Reason</b>
Reduction of Single Occupant Commuter Vehicle Use 310 CMR 7.16	Permittee has less than 250 employees.
Prevention of Accidental Release 42 USC 7401, s. 112(r)	Storage, usage and processing of listed chemicals below the applicable thresholds.

**5. SPECIAL TERMS AND CONDITIONS**

The Permittee is subject to and shall comply with the following special terms and conditions that are not contained in Table 3, 4, 5, and 6:

<b>Table 8</b>	
<b>EU</b>	<b>Special Terms and Conditions</b>
2 and 3	1. In accordance with Plan Approval No. C-B-90-011, the Permittee shall conduct soot blowing in each boiler every four hours of boiler operation.
	2. In accordance with the Plan of Good Operating Practices and 310 CMR 7.06(1)(c), as a minimum, the Permittee shall calibrate the smoke density indicator system at least annually in accordance with the manufacturer's recommended procedures.
4 and 5	3. In accordance with Plan Approval No. W211007 - A1, the Permittee shall only burn "wood-fuel" in EUs 4 and 5 that meets the definition in the Air Pollution Control Regulations at 310 CMR 7.00. The noted definition states "Wood-Fuel means all wood intended to be used as a fuel included but not limited to trees, cord wood, logs, lumber, sawdust, and wood from manufacturing processes (but offs, shavings, turnings, sawdust, etc.), wood pallets, slabs, bark, chips, waste pallets, boxes, etc. This definition does not include materials, which are chemically treated with any preservative, paint, or oil." Please note that the definition does not include wood

<b>Table 8</b>	
<b>EU</b>	<b>Special Terms and Conditions</b>
4 and 5	waste derived from Construction and Demolition debris. Any deviation from the wood fuel noted herein will require the Permittee to submit additional information for evaluation by MassDEP. Written approval from MassDEP is required prior to use of wood fuel that does not conform to the definition noted herein or the air pollution control regulations.
	4. In accordance with Plan Approval No. W211007 - A1, the Permittee shall ensure that the delivery of any wood fuel be done in covered leak proof trailers.
	5. In accordance with Plan Approval No. W211007 - A1, the Permittee shall discharge the boiler bottom ash into a rolling container inside the boiler house. The fly ash drops through double gate valves from the fabric filter into barrels.
	6. In accordance with Plan Approval No. W211007 - A1, the Permittee shall develop and implement a plan to monitor the ash collection system. The Permittee shall take appropriate action to prevent at all times, the release to the ambient air of visible emissions that exceed 0% opacity because of the handling of the ash. Ash that may be spilled on the ground shall be promptly removed in a manner that does not cause a condition of air pollution.
	7. In accordance with Plan Approval No. W211007 - A1 and Department Noise Policy 90-001, the Permittee shall not allow the facility to produce an increase in sound by more than 10dBA over the existing L90 ambient level (1-hour A-weighted), unless otherwise specified. Additionally, pure tone sounds, defined as any octave band level, which exceeds the levels in adjacent octave bands by 3dBA or more, is prohibited. (State only)
	8. In accordance with Plan Approval No. W211007 - A1, the Permittee shall install and have operational noise suppressants (muffler) on all steam release vents so that sound emissions from the boiler will not cause or contribute to a condition of air pollution. (State only)
	9. The Permittee shall comply with the record keeping requirements of 40 CFR 60 Subpart Dc - Standards of Performance for Small Industrial - Commercial Steam Generating Units.
	10. In accordance with CAM plan submitted July 2006, and Administrative Amendment Transmittal No. X269547 issued February 29, 2016: <ul style="list-style-type: none"> <li>a. The primary unit (multi-clone) shall operate at a pressure drop of 4 inches of water.</li> <li>b. The secondary unit (air filter system) shall operate with a pressure drop of no less than 1.5 and no greater than 6.0 inches of water on EU4 and 12 inches water on EU5. The bags will be cleaned as determined by the pressure drop gauge.</li> <li>c. Opacity shall be continuously monitored in accordance with the permit (Plan Approval No. W211007-A1).</li> <li>d. Quarterly black light tests shall be conducted to identify any leaking bags in accordance with the permit (Plan Approval No. W211007 - A1).</li> </ul>

**Table 8**

Table 8					
EU	Special Terms and Conditions				
2, 3, 4 and 5	11. In accordance with Plan Approval No. W211007 - A1, the emissions from EU2 and EU3, and EU4 and EU5, respectively, shall be emitted through the steel exhaust stacks, as presented below.				
	EU	Stack Height Above Ground (feet)	Stack Inside Exit Dimensions (feet)	Stack Gas Exit Velocity Range (feet per second)	Stack Gas Exit Temperature Range (°F)
	2 and 3	140	4.5	20-40	425 - 550
	4 and 5	100	3.33	33	325 - 425
2, 3, 4 and 5	12. In accordance with 40 CFR 63.11201(b), TABLE 2 OF Part 63 Subpart JJJJJ, the Permittee shall conduct an initial tune-up as specified in 40 CFR 63.11214, and conduct a tune-up of the boiler biennially as specified in 40 CFR 63.11223.				
	13. In accordance with 40 CFR 63.11205(a), the Permittee shall at all times operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the Permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the MassDEP/EPA that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.				
	14. Emission units 2, 3, 4, and 5 are subject to the requirements of 40 CFR 63.1-15, Subpart A, "General Provisions" as indicated in Table 8 to Subpart JJJJJ of 40 CFR 63. Compliance with all applicable provisions therein is required.				
6 and 7	15. In accordance with 40 CFR 63.6603(a), item 5 of Table 2d of 40 CFR Subpart ZZZZ, and effective October 19, 2013, the Permittee shall: a. Change oil and filter every 500 hours of operation or annually, whichever comes first; b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first, and replace as necessary, and c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. The Permittee has the option to utilize an oil analysis program as described in 40 CFR 63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2d of 40 CFR 63 Subpart ZZZZ.				
	16. In accordance with 40 CFR 63.6603 and 63.6640, Footnote 2 of Table 2d of 40 CFR Subpart ZZZZ, and effective October 19, 2013, if an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of 40 CFR 63 Subpart ZZZZ, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. The Permittee shall report any failure to perform the management practice as soon as practicable and the Federal, State or local law under which the risk was deemed unacceptable.				

<b>Table 8</b>	
<b>EU</b>	<b>Special Terms and Conditions</b>
6 and 7	17. In accordance with 40 CFR 63.6605(a) and (b), and effective October 19, 2013, a. The Permittee shall be in compliance with the emission limitations and operating limitations in this subpart that apply to the Permittee at all times. b. At all times the Permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the Permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.
	18. In accordance with 40 CFR 63.6640(a), Table 6 of 40 CFR Subpart ZZZZ, and effective October 19, 2013, the Permittee shall continuously comply with the work or management practices as required by the following: a. Operate and maintain the emergency engine according to the manufacturer's emission-related operation and maintenance instructions; or b. Develop and follow its own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.
	19. Emission units 6 and 7 are subject to the requirements of 40 CFR 63.1-15, Subpart A, "General Provisions" as indicated in Table 8 to Subpart ZZZZ of 40 CFR 63. Compliance with all applicable provisions therein is required.

**Table 8 Key**

EU = Emission Unit

CFR = Code of federal regulations

## 6. ALTERNATIVE OPERATING SCENARIOS

The Permittee did not request alternative operating scenarios in its Operating Permit application.

## 7. EMISSIONS TRADING

### A. INTRA-FACILITY EMISSION TRADING

The Permittee did not request intra-facility emissions trading in its Operating Permit application.

### B. INTER-FACILITY EMISSION TRADING

The Permittee did not request inter-facility emissions trading in its Operating Permit application.

## **8. COMPLIANCE SCHEDULE**

The Permittee has indicated that the facility is in compliance and shall remain in compliance with the applicable requirements contained in Sections 4 and 5.

In addition, the Permittee shall comply with any applicable requirements that become effective during the Permit term.

## **GENERAL CONDITIONS FOR OPERATING PERMIT**

### **9. FEES**

The Permittee has paid the permit application processing fee and shall pay the annual compliance fee in accordance with the fee schedule pursuant to 310 CMR 4.00.

### **10. COMPLIANCE CERTIFICATION**

All documents submitted to the MassDEP shall contain certification by the responsible official of truth, accuracy, and completeness. Such certification shall be in compliance with 310 CMR 7.01(2) and contain the following language:

"I certify that I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment."

The "Operating Permit Reporting Kit" contains instructions and the Annual Compliance Report and Certification and the Semi-Annual Monitoring Summary Report and Certification. The "Operating Permit Reporting Kit" is available to the Permittee via the MassDEP's web site, <http://www.mass.gov/dep/air/approvals/aqforms.htm#op>.

#### **A. Annual Compliance Report and Certification**

The Responsible Official shall certify, annually for the calendar year, that the facility is in compliance with the requirements of this Operating Permit. The report shall be postmarked or delivered by January 30 to the MassDEP and to the Regional Administrator, U.S. Environmental Protection Agency - New England Region. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- 1) the terms and conditions of the Permit that are the basis of the certification;
- 2) the current compliance status and whether compliance was continuous or intermittent during the reporting period;
- 3) the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
- 4) any additional information required by the MassDEP to determine the compliance status of the source.

**B. Semi-Annual Monitoring Summary Report and Certification**

The Responsible Official shall certify, semi-annually on the calendar year, that the facility is in compliance with the requirements of this Permit. The report shall be postmarked or delivered by January 30 and July 30 to the MassDEP. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- 1) the terms and conditions of the Permit that are the basis of the certification;
- 2) the current compliance status during the reporting period;
- 3) the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods;
- 4) whether there were any deviations during the reporting period;
- 5) if there are any outstanding deviations at the time of reporting, and the Corrective Action Plan to remedy said deviation;
- 6) whether deviations in the reporting period were previously reported;
- 7) if there are any outstanding deviations at the time of reporting, the proposed date of return to compliance;
- 8) if the deviations in the reporting period have returned to compliance and date of such return to compliance; and
- 9) any additional information required by the MassDEP to determine the compliance status of the source.

**11. NONCOMPLIANCE**

Any noncompliance with a permit condition constitutes a violation of 310 CMR 7.00: Appendix C and the Clean Air Act, and is grounds for enforcement action, for Permit termination or revocation, or for denial of an Operating Permit renewal application by the MassDEP and/or EPA. Noncompliance may also be grounds for assessment of administrative or civil penalties under M.G.L. c.21A, §16 and 310 CMR 5.00; and civil penalties under M.G.L. c.111, §142A and 142B. This Permit does not relieve the Permittee from the obligation to comply with any other provisions of 310 CMR 7.00 or the Act, or to obtain any other



necessary authorizations from other governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this Permit.

## **12. PERMIT SHIELD**

- A. This facility has a permit shield provided that it operates in compliance with the terms and conditions of this Permit. Compliance with the terms and conditions of this Permit shall be deemed compliance with all applicable requirements specifically identified in Sections 4, 5, 6, and 7, for the emission units as described in the Permittee's application and as identified in this Permit.

Where there is a conflict between the terms and conditions of this Permit and any earlier approval or Permit, the terms and conditions of this Permit control.

- B. The MassDEP has determined that the Permittee is not currently subject to the requirements listed in Section 4, Table 7.
- C. Nothing in this Permit shall alter or affect the following:
- 1) the liability of the source for any violation of applicable requirements prior to or at the time of Permit issuance.
  - 2) the applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or
  - 3) the ability of EPA to obtain information under 42 U.S.C. §7401, §114 or §303 of the Act.

## **13. ENFORCEMENT**

The following regulations found at 310 CMR 7.02(8)(h) Table 6 for wood fuel, 7.04(9), 7.05(8), 7.09 (odor), 7.10 (noise), 7.18(1)(b), 7.21, 7.22, 7.70 and any condition(s) designated as "state only" are not federally enforceable because they are not required under the Act or under any of its applicable requirements. These regulations and conditions are not enforceable by the EPA. Citizens may seek equitable or declaratory relief to enforce these regulations and conditions pursuant to Massachusetts General Law Chapter 214, Section 7A

All other terms and conditions contained in this Permit, including any provisions designed to limit a facility's potential to emit, are enforceable by the MassDEP, EPA and citizens as defined under the Act.

A Permittee shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.

## **14. PERMIT TERM**

This Permit shall expire on the date specified on the cover page of this Permit, which shall not be later than the date 5 years after issuance of this Permit.

Permit expiration terminates the Permittee's right to operate the facility's emission units, control equipment

or associated equipment covered by this Permit, unless a timely and complete renewal application is submitted at least 6 months before the expiration date.

## **15. PERMIT RENEWAL**

Upon the MassDEP's receipt of a complete and timely application for renewal, this facility may continue to operate subject to final action by the MassDEP on the renewal application.

In the event the MassDEP has not taken final action on the Operating Permit renewal application prior to this Permit's expiration date, this Permit shall remain in effect until the MassDEP takes final action on the renewal application, provided that a timely and complete renewal application has been submitted in accordance with 310 CMR 7.00: Appendix C(13).

## **16. REOPENING FOR CAUSE**

This Permit may be modified, revoked, reopened, and reissued, or terminated for cause by the MassDEP and/or EPA. The responsible official of the facility may request that the MassDEP terminate the facility's Operating Permit for cause. The MassDEP will reopen and amend this Permit in accordance with the conditions and procedures under 310 CMR 7.00: Appendix C(14).

The filing of a request by the Permittee for an Operating Permit revision, revocation and reissuance, or termination, or a notification of a planned change or anticipated noncompliance does not stay any Operating Permit condition.

## **17. DUTY TO PROVIDE INFORMATION**

Upon the MassDEP's written request, the Permittee shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the Permit, or to determine compliance with the Permit. Upon request, the Permittee shall furnish to the MassDEP copies of records that the Permittee is required to retain by this Permit.

## **18. DUTY TO SUPPLEMENT**

The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information. The Permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after the date a complete renewal application was submitted but prior to release of a draft permit.

The Permittee shall promptly, on discovery, report to the MassDEP a material error or omission in any records, reports, plans, or other documents previously provided to the MassDEP.

## **19. TRANSFER OF OWNERSHIP OR OPERATION**

This Permit is not transferable by the Permittee unless done in accordance with 310 CMR 7.00: Appendix

C(8)(a). A change in ownership or operation control is considered an administrative permit amendment if no other change in the Permit is necessary and provided that a written agreement containing a specific date for transfer of Permit responsibility, coverage and liability between current and new Permittee, has been submitted to the MassDEP.

## **20. PROPERTY RIGHTS**

This Permit does not convey any property rights of any sort, or any exclusive privilege.

## **21. INSPECTION AND ENTRY**

Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow authorized representatives of the MassDEP, and EPA to perform the following:

- A. enter upon the Permittee's premises where an operating permit source activity is located or emissions-related activity is conducted, or where records must be kept under the conditions of this Permit;
- B. have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
- C. inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
- D. Sample or monitor at reasonable times any substances or parameters for the purpose of assuring compliance with the Operating Permit or applicable requirements as per 310 CMR 7.00 Appendix C(3)(g)(12).

## **22. PERMIT AVAILABILITY**

The Permittee shall have available at the facility, at all times, a copy of the materials listed under 310 CMR 7.00: Appendix C(10)(e) and shall provide a copy of the Operating Permit, including any amendments or attachments thereto, upon request by the MassDEP or EPA.

## **23. SEVERABILITY CLAUSE**

The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

## **24. EMERGENCY CONDITIONS**

The Permittee shall be shielded from enforcement action brought for noncompliance with technology based<sup>1</sup> emission limitations specified in this Permit as a result of an emergency<sup>2</sup>. In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

- A. an emergency occurred and that the Permittee can identify the cause(s) of the emergency;
- B. the permitted facility was at the time being properly operated;
- C. during the period of the emergency, the Permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other requirements in this Permit; and
- D. the Permittee submitted notice of the emergency to the MassDEP within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

If an emergency episode requires immediate notification to the Bureau of Waste Site Cleanup/Emergency Response, immediate notification to the appropriate parties should be made as required by law.

## **25. PERMIT DEVIATION**

Deviations are instances where any permit condition is violated and not reported as an emergency pursuant to section 24 of this Permit. Reporting a permit deviation is not an affirmative defense for action brought for noncompliance. Any reporting requirements listed in Table 6. of this Operating Permit shall supersede the following deviation reporting requirements, if applicable.

The Permittee shall report to the MassDEP's Regional Bureau of Air and Waste the following deviations from permit requirements, by telephone, fax or electronic mail (e-mail) , within three (3) days of discovery of such deviation:

- A. Unpermitted pollutant releases, excess emissions or opacity exceedances measured directly by CEMS/COMS, by EPA reference methods or by other credible evidence, which are ten percent (10%) or more above the emission limit.
- B. Exceedances of parameter limits established by your Operating Permit or other approvals, where the parameter limit is identified by the Permit or approval as surrogate for an emission limit.
- C. Exceedances of Permit operational limitations directly correlated to excess emissions.

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<sup>1</sup> Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

<sup>2</sup> An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the Permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.

- D. Failure to capture valid emissions or opacity monitoring data or to maintain monitoring equipment as required by statutes, regulations, your Operating Permit, or other approvals.
- E. Failure to perform QA/QC measures as required by your Operating Permit or other approvals for instruments that directly monitor compliance.

For all other deviations, three (3) day notification is waived and is satisfied by the documentation required in the subsequent Semi-Annual Monitoring Summary and Certification. Instructions and forms for reporting deviations are found in the MassDEP Bureau of Air and Waste Air Operating Permit Reporting Kit, which is available to the Permittee via the MassDEP's web site, <http://www.mass.gov/dep/air/approvals/aqforms.htm#op>.

This report shall include the deviation, including those attributable to upset conditions as defined in the Permit, the probable cause of such deviations, and the corrective actions or preventative measures taken.

Deviations that were reported by telephone, fax or electronic mail (e-mail) within 3 days of discovery, said deviations shall also be submitted in writing via the Operating Permit Deviation Report to the regional Bureau of Air and Waste within ten (10) days of discovery. For deviations, which do not require 3-day verbal notification, follow-up reporting requirements are satisfied by the documentation required in the aforementioned Semi-Annual Monitoring Summary and Certification.

## **26. OPERATIONAL FLEXIBILITY**

The Permittee is allowed to make changes at the facility consistent with 42 U.S.C. §7401, §502(b)(10) not specifically prohibited by the Permit and in compliance with all applicable requirements provided the Permittee gives the EPA and the MassDEP written notice fifteen days prior to said change; notification is not required for exempt activities listed at 310 CMR 7.00: Appendix C(5)(h) and (i). The notice shall comply with the requirements stated at 310 CMR 7.00: Appendix C(7)(a) and will be appended to the facility's Permit. The permit shield allowed for at 310 CMR 7.00: Appendix C(12) shall not apply to these changes.

## **27. MODIFICATIONS**

- A. Administrative Amendments - The Permittee may make changes at the facility which are considered administrative amendments pursuant to 310 CMR 7.00: Appendix C(8)(a)1., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(b).
- B. Minor Modifications - The Permittee may make changes at the facility which are considered minor modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)2., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(d).
- C. Significant Modifications - The Permittee may make changes at the facility which are considered significant modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)3., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(c).
- D. No permit revision shall be required, under any approved economic incentives program, marketable permits program, emission trading program and other similar programs or processes, for changes

that are provided in this Operating Permit. A revision to the Permit is not required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program under Title IV of the Act, provided that such increases do not require an Operating Permit revision under any other applicable requirement.

## **28. OZONE DEPLETING SUBSTANCES**

This section contains air pollution control requirements that are applicable to this facility, and the United States Environmental Protection Agency enforces these requirements.

- A. The Permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
  - 1) All containers containing a class I or class II substance that is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR 82.106.
  - 2) The placement of the required warning statement must comply with the requirements of 40 CFR 82.108.
  - 3) The form of the label bearing the required warning statement must comply with the requirements of 40 CFR 82.110.
  - 4) No person may modify, remove or interfere with the required warning statement except as described in 40 CFR 82.112.
  
- B. The Permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVAC) in Subpart B:
  - 1) Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices of 40 CFR 82.156.
  - 2) Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment of 40 CFR 82.158.
  - 3) Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.
  - 4) Persons disposing of small appliances, MVACs and MVAC-like appliances (as defined in 40 CFR 82.152) must comply with recordkeeping requirements of 40 CFR 82.166.
  - 5) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair equipment requirements of 40 CFR 82.156.
  - 6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

- C. If the Permittee manufactures, transforms, imports or exports a class I or class II substance, the Permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A, "Production and Consumption Controls".
- D. If the Permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the Permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, "Servicing of Motor Vehicle Air Conditioners". The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo or system used on passenger buses using HCFC-22 refrigerant.
- E. The Permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, "Significant New Alternatives Policy Program".

## **29. PREVENTION OF ACCIDENTAL RELEASES**

This section contains air pollution control requirements that are applicable to this facility, and the United States Environmental Protection Agency enforces these requirements.

Your facility is subject to the requirements of the General Duty Clause, under 112(r)(1) of the CAA Amendments of 1990. This clause specifies that owners or operators of stationary sources producing, processing, handling or storing a chemical in any quantity listed in 40 CFR Part 68 or any other extremely hazardous substance have a general duty to identify hazards associated with these substances and to design, operate and maintain a safe facility, in order to prevent releases and to minimize the consequences of accidental releases which may occur.

## **APPEAL CONDITIONS FOR OPERATING PERMIT**

This Permit is an action of the MassDEP. If you are aggrieved by this action, you may request an adjudicatory hearing within 21 days of issuance of this Permit. In addition, any person who participates in any public participation process required by the Federal Clean Air Act, 42 U.S.C. §7401, §502(b)(6) or under 310 CMR 7.00: Appendix C(6), with respect to the MassDEP's final action on operating permits governing air emissions, and who has standing to sue with respect to the matter pursuant to federal constitutional law, may initiate an adjudicatory hearing pursuant to Chapter 30A, and may obtain judicial review, pursuant to Chapter 30A, of a final decision therein.

If an adjudicatory hearing is requested, the facility must continue to comply with all existing federal and state applicable requirements to which the facility is currently subject, until a final decision is issued in the case or the appeal is withdrawn. During this period, the application shield shall remain in effect, and the facility shall not be in violation of the Act for operating without a Permit.

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts which are the grounds for the request, and the relief sought. Additionally, the request must state why the Permit is not consistent with applicable laws and regulations.

The hearing request along with a valid check payable to The Commonwealth of Massachusetts in the amount of one hundred dollars (\$100.00) must be mailed to:

The Commonwealth of Massachusetts  
Department of Environmental Protection  
P.O. Box 4062  
Boston, MA 02211

The request will be dismissed if the filing fee is not paid unless the appellant is exempt or granted a waiver as described below.

The filing fee is not required if the appellant is a city or town (or municipal agency) county, or district of the Commonwealth of Massachusetts, or a municipal housing authority.

The MassDEP may waive the adjudicatory hearing filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.